

Application No. 10/559,954  
Response dated April 3, 2008  
Reply to Office action of October 4, 2007

### **REMARKS/ARGUMENTS**

Applicants thank the Examiner for the thorough review of the application.

Claims 1-4, and 9-10 have been amended. Claims 1-4, 6, 9-11 are pending in the application. No new matter has been added by way of this amendment, the entry of which is respectfully requested.

#### **Claim rejections – 35 USC § 112**

##### **Claims 1-4, 6, and 9-11 stand rejected under 35 USC § 112, first paragraph.**

The Examiner alleges that the specification, while being enabling for a compound of formula (I) or salt thereof, does not reasonably provide enablement for a solvate and/or solvates of the salts of a compound of formula (I).

Applicants respectfully disagree. However, in order to advance the examination of the application claims 1-4 and 9-10 have been amended. Applicants submit that the rejection is obviated by amendment of the claims and its withdrawal is respectfully requested.

##### **Claims 9-11 stand rejected under 35 USC § 112, first paragraph.**

The Examiner alleges that the specification, while being enabling for the treatment of disorders of learning and memory, does not reasonably provide enablement for a method of treatment of disorders of perception and concentration.

Applicants respectfully disagree. However, in order to advance the examination of the application claims 9-10 have been amended. Applicants submit that the rejection is obviated by amendment of the claims and its withdrawal is respectfully requested.

Application No. 10/559,954  
Response dated April 3, 2008  
Reply to Office action of October 4, 2007

In view of the above, Applicants respectfully submit that all objections and rejections have been addressed and that the application is now in condition for allowance. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

/Edouard G. Lebel/  
Edouard G. Lebel, Ph.D.  
Agent for Applicants  
Reg. No. 43,742

Patent Department  
Boehringer Ingelheim Corp.  
900 Ridgebury Road  
P.O. Box 368  
Ridgefield, CT 06877  
Tel.: (203) 778-7635  
Fax: (203) 798-4408

Date: April 3, 2008